THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO.20175 OF 2005

DATED:14.9.2005

Between:

Jinka Chendrayudu

…Petitioner

And

The Joint Collector,

Kadapa District, Kadapa and others

…Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO.20175 OF 2005

ORDER:

In 1976 the petitioner was assigned land admeasuring Acs.5.02 in S.No.236/A2 of Rameswaram Village, Proddatur Mandal by way of D.K.T.patta. On the ground that the same was not brought under cultivation, third respondent by proceedings dt.24.4.2005 cancelled the D.K.T.patta. The Mandal Revenue Officer also held that the land covered by said patta was in possession and enjoyment of respondents 4 and 5. Aggrieved by the proceedings of the Mandal Revenue Officer, petitioner approached second respondent Revenue Divisional Officer by way of appeal under paragraph (15) of Board Standing Order (BSO) 15. By the impugned proceedings

dt.25.8.2005 the appeal was dismissed. Assailing the same, present Writ Petition is filed.

Paragraph (18) of BSO 15 provides for revision to the District Collector and this Court having regard to disputed questions of fact, whether the Mandal Revenue Officer could have exercised powers for cancellation after thirty years and whether respondents 4 and 5 have validly occupied the land, this Court is of considered opinion that in the first instance petitioner may avail remedy by filing revision before the Joint Collector, Kadapa. Such revision may be filed within a period of two weeks from the date of receipt of a copy this order. As and when such revision is filed, the revisional authority may entertain the revision and pass appropriate orders after giving notice to petitioner and respondents 4 and 5.

The Writ Petition with the above observations and directions is accordingly disposed of. No costs.

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(V.V.S.RAO, J)

14.9.2005

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